

REMARKS

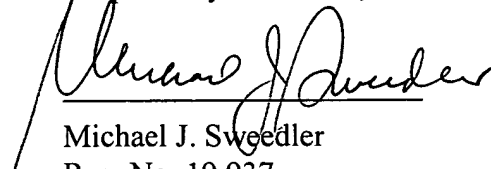
Claim 22 has been amended to delete the term "balloon" in front of "catheter" since there is no antecedent basis for a "balloon catheter".

In response to the restriction requirement in the Office Action dated August 29, 2002, applicant elects to prosecute claims 22 and 23 (Invention I).

Applicants respectfully submit that Invention 2 (claim 24) should also be examined in this application. As a practical matter, the process of claim 24 cannot be practiced by a materially different apparatus nor can the apparatus as claimed (in claims 22 and 23) be used to practice another materially different process. The Examiner says "the catheter could be fixed to the guide wire so that they would be inserted as a fixed unit into the blood vessel instead of running the catheter over the guide wire as defined in claim 24". In fact, the requirement in claim 22 that the vascular guide wire be used to direct the catheter (having a lesion treatment device) to a lesion requires relative movement between the catheter and guide wire. Moreover, it is clear in any event that only a single search is required for the examination of Inventions I and II; therefore, it would be in the best interest of efficiency to consider both groups of claims in a single application.

Accordingly, the Examiner is respectfully requested to revise the restriction requirement and to group Inventions I and II together so that claim 24 can be considered in this application.

Respectfully submitted,


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Dated: August 14, 2002

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07278

PATENT TRADEMARK OFFICE

Docket No.: 1780/1D144-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William GRAY et al.

Serial No.: 09/887,978

Art Unit: 3731

Confirmation No.: 9044

Filed: June 22, 2001

Examiner: M. Thaler

For: TEMPORARY VASCULAR FILTER GUIDE WIRE

MARK-UP FOR AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT
OF SEPTEMBER 17, 2002

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

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Amend Claim 22 as follows:

22. (Amended) A catheter system for treating a blood vessel lesion within a vasculature, said catheter system including:

a catheter having a lesion treatment device; and

a vascular filter guide wire for directing said [balloon] catheter to said lesion, said guide wire including a collapsible filter for manual deployment downstream of said [balloon] catheter to trap particulate matter arising from the treatment of said lesion.